



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry The Gazette of Puducherry

அதிகாரம் பெற்ற வெளியீடு

Publiée par Autorité

Published by Authority

எண்	புதுச்சேரி	செவ்வாய்க்கிழமை	2021 ஐ	மே மீ	25 உ
No.	21 Poudouchéry	Mardi	25	Mai	2021 (4 Jyaistha 1943)
No.	Puducherry	Tuesday	25th	May	2021

### பொருளடக்கம்

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## GOVERNMENT OF PUDUCHERRY

## LABOUR DEPARTMENT

(G.O. Rt. No. 36/AIL/Lab./T/2021,  
Puducherry, dated 3rd May 2021)

## NOTIFICATION

Whereas, an Award in I.D (L) No. 29/2014, dated 04-03-2021 of the Industrial Tribunal-cum-Labour Court, Puducherry, in respect of the Industrial Dispute between the management of M/s. Immaculate Heart of Mary Girls' Higher Secondary School, Puducherry and Tmt. Yesurani, Puducherry, over non-employment has been received;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), read with the notification issued in Labour Department's G.O. Ms. No. 20/91/Lab./L, dated 23-05-1991, it is hereby directed by the Secretary to Government (Labour) that the said Award shall be published in the Official Gazette, Puducherry.

(By order)

**D. MOHAN KUMAR,**

Under Secretary to Government (Labour).

**BEFORE THE INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT AT PUDUCHERRY**

*Present :* Thiru P. DHANABAL, B.Sc., B.L.,  
Presiding Officer (FAC).

*Thursday, the 4th day of March, 2021.*

**I.D. (L) No. 29/2014**

Tmt. Yesurani,  
W/o. Lourdessamy (*late*),  
No. 53, Second Cement Street,  
Poiyakulam, Vinoba Nagar,  
Lawspet Post,  
Puducherry.

. . Petitioner

*Versus*

The Principal,  
Immaculate Heart of Mary Girls'  
Higher Secondary School,  
Puducherry.

. . Respondent

This industrial dispute coming on 17-02-2021 before me for final hearing in the presence of Thiru J. Cyril Mathias Vincent, Counsel for the petitioner and M/s. Law Solvers, Counsel for the respondent, upon hearing, upon perusing the case records, after having stood over for consideration till this day, this Court passed the following:

## AWARD

1. This Industrial Dispute has been referred by the Government of Puducherry, as per the G.O. Rt. No. 77/AIL/Lab./J/2014, dated 02-05-2014 for adjudicating the following:-

(a) Whether the dispute raised by Tmt. Yesurani against the management of M/s. Immaculate Heart of Mary Girls' Higher Secondary School, Puducherry, over her non-employment is justified or not? If justified, what relief she is entitled to?

(b) To compute the relief if any, awarded in terms of money if, it can be so computed?

2. The averments in the claim statement of the petitioner, in brief, are as follows:

The petitioner was employed as a non-teaching staff (Ayya) on 01-06-2003 with an initial salary of ₹ 1,200 and in December 2011, the petitioner was paid ₹ 5,100 per month as wages inclusive of bonus. The petitioner has been carrying out her duties assigned to her without any blemish and to the satisfaction of her superiors. While so, 04-01-2012, the petitioner was orally informed by the respondent that she need not work from the next day and no reason was assigned for her termination despite her pleas. That on 06-01-2012, she submitted a written representation pleading the respondent to permit her to resume her work as "Ayya" since with the wages she was naming as an "Ayya" was the only source of income supporting her children and as a widow she had no other source of income. The petitioner further pleaded that the respondent to let her know the reasons for stopping her from her work. Subsequent to her letter, dated 06-01-2012, the respondent herein issued order bearing No. 601/IHMGHSS/2011-2012, dated 03-01-2012 on 14-01-2012 at 13.00 hours. The petitioner requested the respondent herein to furnish her with an attested true copy of the materials (1) to (4) referred to in the order bearing No. 601/IHMGHSS/2011-2012, dated 03-01-2012 to enable the petitioner to give a comprehensive reply to the order. The petitioner also pointed out that the order has been posted after receiving her letter, dated 06-01-2012 and that she had been terminated without any notice and contrary to principles of natural justice. The petitioner came to know only on 27-01-2012 about the respondent's allegation that the impugned termination was after an alleged enquiry, conducted behind her back. The petitioner further submits that no show cause notice was issued to her either in person or through registered post and the petitioner had no knowledge of any show cause

notice, charge-sheet, appointment of the alleged Enquiry Officer and the alleged enquiry. The petitioner came to know about the show cause notice, charge-sheet and the appointment of the Enquiry Officer as well as the proceedings of the Enquiry Officer only after 27-01-2012, after the impugned oral termination. The non-employment of the petitioner by the respondent is illegal, contrary to law and the principles of natural justice were not followed prior to the impugned termination and the petitioner is without employment and salary from January 2012 and the petitioner is entitled for her employment with back wages and other allowances. Hence, the petitioner prays to pass an Award in favour of her and against the respondent by reinstating the petitioner in her employment with full back wages from January 2012 till the date of resuming her work.

3. The brief averments in the counter filed by the respondent are as follows:

The respondent management denies all the allegations contained in the claim statement filed in support of the claim for reinstatement with full back wages and other benefits and put the petitioner Union to strict proof of the same. The petitioner was initially appointed as Ayah with effect from 01-06-2003 and the petitioner's conduct was not at all satisfactory *ab initio* and she was insubordinate with the superiors and was non-co-operative and quarrelsome with the colleagues. Thereafter, she was removed from service in October 2007 and the petitioner had pleaded for mercy and the respondent management reappointed on compassionate grounds on 01-06-2008. There was however no improvement in the petitioner's behaviour and she continued to indulge in acts of insubordination and quarrels with co-workers and riotous behaviour with the colleagues and students. The petitioner was served with an memorandum of charges on 19-09-2011, granting ten days time to submit written statement of defence for certain alleged grave and serious acts of omissions and commissions. The respondent management charge-sheeted the petitioner for four articles of charge and the charges are accompanied by a statement of imputations in respect of each article of charge and also lists of documents and witnesses proposed to be relied upon to substantiate charges. The petitioner did not however submit any written statement of defence to the charges. Thereafter, the respondent management appointed Tmt. J. Marie Anna Dayavathi, Advocate as the enquiring authority to go into the charges levelled against the petitioner by an order, dated 11-10-2011 and the said order was also communicated to the petitioner.

(ii) The respondent further submits that the enquiry was conducted on different dates. The petitioner did not participate throughout the enquiry proceedings and the petitioner was set *ex parte* by the enquiry authority and the enquiring authority proceeded with the enquiry and after recording evidence from the witnesses and perusing the records and the documents, the enquiry authority submitted a report on the basis of evidence holding that all the articles of charge as proved *vide* enquiry report, dated 02-12-2011 to the respondent management. Thereafter, the respondent management by a proceeding, dated 12-12-2011 provisionally decided to impose on the petitioner, the penalty of dismissal from service. The respondent management communicated in the said proceedings, dated 12-12-2011 to make a representation against the findings in the enquiry report and the provisional penalty of dismissal from service.

(iii) The respondent respectfully submits that the aforesaid communication was also refused by the petitioner. The respondent management subsequently affixed the aforesaid memorandum, dated 02-12-2011 in the School notice-board. Even then no reply was received from the petitioner. The respondent management considered the enquiry report carefully and also past records of the petitioner and found that the petitioner's conduct has always been against the disciplinary rules of the School. As the charges framed against the petitioner were proved and the petitioner was causing mental agony to her colleagues and was disturbing the peaceful atmosphere in the School, the decision already taken was communicated to the petitioner in the memorandum, dated 12-12-2011 was made absolute and the petitioner was dismissed from service with effect from 03-01-2012.

(iv) The respondent further submit that the petitioner thereafter, by a letter, dated 06-01-2012 wrote to the Principal of the School and then petitioner came up with another letter, dated 18-01-2012 asking for a copy of the dismissal order 03-01-2012 and a reply, dated 24-01-2012 was sent to the petitioner furnishing all the information and explaining circumstances under which the petitioner's service was terminated and the said communication was acknowledged by the petitioner by registered post and the petitioner sent a Lawyer notice, dated 04-06-2013 issued through her Counsel Mr. J. Cyril Mathias Vincent and the said notice was duly replied by respondent's Counsel on 12-07-2013 and it is at this stage the petitioner had raised an industrial dispute over her non-employment.

(v) There is nothing illegal or inconsistent in the proceeding and the respondent management was justified in imposing the penalty of dismissal from service on the petitioner and hence, the respondent management prays to dismiss the claim petition and pass an Award holding that the claim of the petitioner for reinstatement is not justified.

4. After receipt of referral order from the Government, the matter this Court has issued notice to the both sides and then the petitioner has filed the claim application. The respondent has also filed counter. During the course of enquiry, on the side of the petitioner PW1 was examined Ex.P1 to Ex.P7 were marked. On the side of the respondent RW1 to RW4 examined Ex.R1 to R35 have been marked. Upon perusing the pleadings and documents and hearing both sides.

5. The points for consideration are:

(1) Whether the dispute raised by the petitioner against, the respondent management over her non-employment is justified or not?

(2) If justified, what is the relief entitled to the petitioner?

6. Heard both sides and perused the records, both side have filed written arguments and also perused.

7. On Points 1 and 2;

The petitioner contention is that she was employed as non-teaching staff (Ayya) on 01-06-2003 with an initial salary of ₹ 1,200 in the respondent School. Thereafter, in the month of December 2011 her salary was hiked and was paid ₹ 5,100 per month. The petitioner was carrying out her duties assigned to her without any blemish and to the satisfaction of her superiors. While so, on 04-01-2012 the petitioner was orally informed by the respondent that she did not come to work from the next day. No reason was assigned for her termination despite her pleas. On 06-01-2012, the petitioner submitted the written representation pleading the respondent to permit her to resume her work but, subsequent to letter, dated 06-01-2012, the respondent has issued order, dated 03-01-2012 on 14-01-2012. The petitioner has not been served any notice and she has been terminated without any notice and same is contrary to the principles of natural justice. Subsequently, the petitioner came to know on 27-01-2012 about the respondent allegation that impugned termination was after an alleged enquiry conducted behind her back. The petitioner never issued any show cause notice, charge-sheet, appointment of Enquiry Officer as well as the proceedings of Enquiry Officer. The termination

is not in accordance with law therefore, the petitioner is entitled to reinstatement in her employment with full back wages from January 2012 till the date of resuming her work.

8. The respondent contention is that the petitioner was initially appointed as Ayya with effect from 01-06-2013, but, her conduct was not at all satisfactory *ab initio* and she was insubordinate with the superiors and was not cooperated and quarrelsome with the colleagues. Thereafter, she was removed from service in October 2007 and again she was reinstated on 01-06-2008. However, no improvement in the petitioner's behavior and again she continued to indulge in acts of insubordination and quarrels with co-workers hence, the petitioner was served with a memorandum of charges on 19-09-2011 granting 10 days time to submit written statement her defence. The petitioner did not submit any written statement of defence to the charges. Thereafter, the respondent management appointed Tmt. J. Marie Anna Dayavathi, Advocate as the enquiring authority by order, dated 11-10-2011 and the same was also communicated to the petitioner. The petitioner did not participate throughout the enquiry proceedings and she was set *ex parte*. The Enquiry Officer filed a report holding that charges were proved against the petitioner wide enquiry report, dated 02-12-2011. Thereafter, the respondent management decided to penalty of dismissal of service to the petitioner by proceeding, dated 12-12-2011. The said dismissal order also served to the petitioner along with enquiry report and the said communication was refused by the petitioner and the same was affixed in the notice-board. Thereafter, the petitioner was dismissed from service with effect from 03-01-2012. Thereafter, on 06-01-2012 wrote letter to the School Principal stating that on 04-01-2012 orally told not to come for work from the next date and thereafter she received letter on 24-01-2012. Therefore, the petitioner is not entitled any relief and the same is liable to be dismissed.

9. In this case, there is no dispute with regard to relationship of employer and employee and termination of petitioner also admitted, the only contention of the petitioner is that no notice served to her and no opportunity given her to participate in the enquiry proceedings. In order to prove the contention of the claim, the petitioner herself has been examined as PW1 and marked Ex.P1 to Ex.P7 and she also narrated all the things and she filed chief Affidavit by stating the facts narrated in the claim application. The main contention of the petitioner is that notice was not served to her and no opportunity was given to putforth the defence in the enquiry proceedings. But, at the same time, the respondent has examined RW1 to RW4 and marked Ex.R1



to Ex.R35. Once the respondent admit that the petitioner was working in the respondent Institution and she was removed from service, it is duty of the respondent to prove that notice was served to the petitioner. In order to prove the same there is no any proof. Further, the respondent themselves admitted that notice was not served on the petitioner due to her refusal. If so, the respondent has to prove that notice was served to petitioner and she refused. In this context the RW1 in her cross-examination stated that “மனுதாரர் ஏசுராணி என்பவருடைய குடியிருப்பு முகவரி விலாசம் எனக்கு தெரியாது. 10-09-2011 தேதியிட்ட குறிப்பாணையில் மனுதாரருக்கு சார்பு ஆனது என்பதை காட்ட அதற்குரிய ஒப்புதல் அட்டை எதுவும் இந்த வழக்கில் தாக்கல் செய்யப்படவில்லை என்றால் சரிதான். அதுபோலவே எமதசாஆ.14ஆன விசாரணை அதிகாரி கொடுத்த அறிக்கையின் நகல் மனுதாரருக்கு சார்பு செய்யப்பட்டுள்ளது என்பதை காட்ட ஒப்புதல் அட்டையோ அல்லது இதர பெற்றுக்கொண்டதற்கான ஆவணங்களையோ தாக்கல் செய்யவில்லை என்றால் சரிதான். எமதசாஆ.15ஆன விளக்கம் கோரும் குறிப்பாணை மனுதாரருக்கு சார்பு ஆகியுள்ளது என்பதை காட்ட ஆவணங்கள் எதையும் தாக்கல் செய்யவில்லை என்றால் சரிதான்.

10. Further, the same that RW1 during the course of cross-examination stated that “பணி நீக்க உத்தரவு எந்த தேதியில் மனுதாரருக்கு சார்பு ஆனது என்று தெரியுமா என்றால் எனக்கு தெரியாது. மனுதாரரின் பணி நீக்க உத்தரவு எந்த முறையில் அவருக்கு சார்பு செய்யப்பட்டது என்றால் எனக்கு தெரியாது. Therefore, from the evidence of RW1 reveals that RW1 has no knowledge as to whether notice was served to the petitioner and no documents filed to show the notice were served to the petitioner regarding the enquiry and removing from service. In order to substantiate the contention of the respondent they have also examined RW2 and RW3 who were staff and Teacher of the respondent's School and they deposed about the quarrel nature of the petitioner. But, they have not stated about the service of notice to the petitioner regarding enquiry and termination of service. The main contention of the petitioner is that without serving notice to the petitioner, the enquiry was conducted and without any reason, she was terminated from the service, but, the respondent have raised allegations against the petitioner. While so, the respondent have to prove the service of notice and the opportunity given to the petitioner for defending her defence. But, there is no sufficient evidence adduced to prove the contention of the respondent.

11. Further, on the side of the respondent RW4 was also examined and marked some documents. The documents 34 and 35 are the unserved return covers in the name of the petitioner, but, the said notices were sent to the School address in the name of petitioner

as sanitary worker. But, the said covers were returned as refused on 19-10-2011 and 04-11-2011, respectively. Further, the RW4 during the cross-examination stated that “எமதசாஆ.29 முதல் எமதசாஆ.33 வரையுள்ள புகார் கடிதங்கள் அனைத்துமே நான் மேற்படி நிர்வாகத்தில் முதல்வராக பணியாற்றிய காலகட்டத்தில் வழங்கப்பட்டவைதான். அந்த புகார் கடிதங்களின் நகல்கள் மனுதாரருக்கு வழங்கவில்லை என்றால் இல்லை. நான் கொடுத்த charge memo-வை எந்த முகவரிக்கு அனுப்பி வைத்தேன் என்றால் முகவரி எனக்கு தெரியவில்லை. நான் கொடுத்தாக சொல்லப்படும் எமதசாஆ.13-னில் மனுதாரரின் வீட்டு முகவரி இல்லை என்றால் சரிதான். நான் மனுதாரருக்கு charge memo-வை நேரடியாக கொடுத்தேன் என்பதற்கும் மனுதாரர் அதனை பெற்றுக்கொள்ள மறுத்துவிட்டார் என்பதற்கும் ஏதேனும் ஆதாரம் தாக்கல் செய்யவில்லை என்றால் ஆதாரம் இல்லை. மனுதாரர் 19-09-2011 தேதியிட்ட charge memo-வை மனுதாரர் பெற்றுக்கொண்டார் என்பதற்கு ஆதாரத்தை நீதிமன்றத்தில் தாக்கல் செய்யவில்லை என்றால் எனக்கு தெரியவில்லை. Therefore, from the evidence of RW4 it reveals that no notice sent to the residential address of the petitioner and no documents filed by the respondent to prove that the charge memo was served to the petitioner and the enquiry proceedings were, intimated to the petitioner.

12. Further, during the cross-examination of RW4 also admitted that “மனுதாரருக்கு எதிராக விசாரணை அதிகாரியான வழக்கறிஞர் தயாவதி என்பவரால் அனுப்பப்பட்ட விசாரணை அறிக்கையின் நகலை மனுதாரருக்கு வழங்கவில்லை என்றால் எனக்கு ஞாபகமில்லை. நான் தாக்கல் செய்துள்ள முதல் விசாரணை வாக்கு மூலத்தில், எந்த தேதியில் விசாரணை அதிகாரியின் அறிக்கையை மனுதாரருக்கு வழங்கினோம் என்று குறிப்பிட்டுச் சொல்லவில்லை என்றால் சரிதான். விசாரணை அதிகாரியின் அறிக்கையின் அடிப்படையில் மனுதாரரிடம் விளக்கம் கேட்டதாக எனது முதல் விசாரணை சாட்சியத்தில் ஏதேனும் சொல்லியிருக்கிறேனா என்றால் சொல்லவில்லை. 12-12-2011 தேதியிட்ட நடவடிக்கையை மனுதாரருக்கு எந்த தேதியில் அனுப்பி வைத்தோம் என்று எனது முதல் விசாரணை சாட்சியத்தில் காணப்படவில்லை என்றால் சரிதான். Therefore, from the evidence of RW4 reveals that no evidence to show that the copy of order of enquiry authority was served to the petitioner. Further, there is no documents to show the serving of the notice to the residential address of petitioner. *Per contra* Ex.R34 and Ex.35 were served to the School address. The respondent admitted that the notice was not served to petitioner due to her refusal, but, no evidence to prove that the notice was served to petitioner either through postal or through messenger. Even the petitioner refused to receive the notice the respondent could sent notice through postal or through staff, but, no evidence adduced by the respondent to that effect. Even as per Ex.34 and Ex.35 the petitioner refused to receive

the notice, but, no evidence as to whether the particular dates the petitioner was present in the School. The respondent could very well to produce the attendance of the petitioner but, not done so. Further, on perusal of Ex.R11 letter, it reveals that the copies of complaints were not enclosed and no proof for service of that letter to petitioner. Even as per Ex.R13 no enclosures for annexures documents and no proof to show that the said charge was served to the petitioner. Even as per Ex.R33 termination order, dated 03-01-2012 was placed in the notice-board, but, the said termination order has not been produced before this Court by either parties.

13. Therefore, from the abovesaid evidence and documents it is clear that no notice served to the petitioner regarding charges, enquiry report and the termination order and thereby principles of natural justice were not followed prior to impugned termination. Therefore, it is appropriate to hold that the Industrial Dispute raised by the petitioner against the respondent management over her non-employment is justified and the petitioner is entitled for reinstatement as claimed for in the claim petition, since, this Court has already decided in the previous paras that industrial dispute raised by the petitioner against the respondent management over non-employment is justified. At this juncture, it is appropriate to decide that whether the petitioner is entitled for backwages as claimed by her. On careful perusal of documents and the evidence of PW1 as RW1 and RW4 they reveal that already disciplinary action was taken and the petitioner was suspended from service and once again she was reinstated. The PW1 also in his cross-examination admitted that in the month of October 2007 she was removed from service and again gave requisition on 01-06-2008 for reinstate. The petitioner in her evidence stated that she was depending upon the income of her employment and due to non-employment, she suffered lot due to her termination. Further, there is no evidence that the petitioner has been working in any other place and earning through other employment. Therefore, considering the abovesaid circumstances this Court decided that the petitioner is entitled to 50% of backwages with continuity of service and other attendant benefits. Thus, the points 1 and 2 are answered.

14. In the result, this petition is allowed by holding that the Industrial Dispute raised by the petitioner against the respondent management over her non-employment is justified by declaring the termination of service of the petitioner from the respondent institution is illegal and Award is passed by directing the respondent institution to reinstate the petitioner in service within one month from the date of this order and

further directed the respondent institution to pay 50% back wages from the date of termination till date on reinstatement with continuity of service and other attendant benefits. No costs.

Dictated to Stenographer, transcribed by him, corrected and pronounced by me in the open Court on this the 4th day of March, 2021.

**P. DHANABAL,**  
Presiding Officer (FAC),  
Industrial Tribunal-cum-  
Labour Court, Puducherry.

*List of petitioner's witness:*

PW1 — 02-04-2018 Yesurani

*List of petitioner's exhibits:*

Ex.P1 — 06-01-2012 Letter from the petitioner to the respondent.  
Ex.P2 — 14-01-2012 Acknowledgment Card.  
Ex.P3 — 18-01-2012 Letter from the petitioner to the respondent.  
Ex.P4 — 08-02-2012 Letter from the petitioner to the respondent.  
Ex.P5 — 10-02-2012 Acknowledgment Card.  
Ex.P6 — 24-09-2013 Letter from the petitioner to the Labour Officer (Conciliation).  
Ex.P7 — 18-12-2013 Letter from the petitioner to the Labour Officer (Conciliation).

*List of respondent's witnesses:*

RW1 — 11-11-2019 SR. Amalorpavam  
RW2 — 08-01-2020 Marthal  
RW3 — 10-01-2020 Lilly  
RW4 — 10-01-2020 Joesphine Selvarani

*List of respondent's exhibits:*

Ex.R1 — 01-06-2003 Copy of the Memorandum by the respondent to the petitioner. (Appointment Order)  
Ex.R2 — 02-07-2004 Copy of the letter from Mrs. Yesurani to the respondent.  
Ex.R3 — 31-07-2004 Copy of the letter from Mrs. Yesurani to the respondent.  
Ex.R4 — 14-12-2004 Copy of Suspension order by the respondent to the petitioner.

Ex.R5 — 06-01-2005 Copy of letter from Superior to the Principal.

Ex.R6 — 11-12-2006 Copy of letter from Yesurani to the Respondent.

Ex.R7 — 21-01-2010 Copy of letter from Principal to the petitioner.

Ex.R8 — 04-02-2010 Copy of letter from Principal to the petitioner.

Ex.R9 — 26-07-2011 Copy of letter from Principal to the petitioner.

Ex.R10 — 26-08-2011 Copy of letter from Principal to other Superior.

Ex.R11 — 26-08-2011 Copy of letter from Principal to the petitioner.

Ex.R12 — 06-09-2011 Copy of reply from petitioner to the Principal.

Ex.R13 — 19-09-2011 Copy of charge memorandum issued by the Principal to the petitioner.

Ex.R14 — 02-12-2011 Copy of enquiry report by the Enquiry Officer to the Principal.

Ex.R15 — 12-12-2011 Copy of Show Cause Notice from the Principal to the petitioner.

Ex.R16 — 03-01-2012 Copy of proceedings issued to the petitioner dismissing her from service.

Ex.R17 — 24-01-2012 Copy of letter from Principal to the petitioner.

Ex.R18 — 04-06-2013 Copy of Advocate notice issued on behalf of the petitioner.

Ex.R19 — 12-07-2013 Copy of reply notice issued on behalf of the respondent.

Ex.R20 — 02-09-2003 Copy of apology letter by petitioner to the respondent.

Ex.R21 — 13-09-2004 Copy of apology letter by petitioner to the respondent.

Ex.R22 — 09-11-2004 Copy of apology letter by petitioner to the respondent.

Ex.R23 — 11-12-2006 Copy of apology letter by petitioner to the respondent.

Ex.R24 — 06-01-2005 Copy of apology letter by petitioner to the respondent.

Ex.R25 — 01-11-2006 Copy of apology letter by petitioner to the respondent.

Ex.R26 — 11-09-2007 Copy of apology letter by petitioner to the respondent.

Ex.R27 — 20-08-2008 Copy of apology letter by petitioner to the respondent.

Ex.R28 — 01-08-2011 Copy of apology letter by petitioner to the respondent.

Ex.R29 — 25-08-2011 Copy of complaint letter by Savariyammal to the respondent.

Ex.R30 — 24-08-2011 Copy of complaint letter by Marthal to the respondent.

Ex.R31 — 24-08-2011 Copy of complaint letter by Sumithra to the respondent.

Ex.R32 — 24-08-2011 Copy of complaint letter by Bakkiyam to the respondent.

Ex.R33 — 24-08-2011 Copy of complaint letter by Lilly to the respondent.

Ex.R34 — 18-10-2011 Returned Postal cover from the petitioner.

Ex.R35 — 04-11-2011 Returned Postal cover from the petitioner.

**P. DHANABAL,**  
Presiding Officer (FAC),  
Industrial Tribunal-*cum*-  
Labour Court, Puducherry.

**GOVERNMENT OF PUDUCHERRY**  
**LABOUR DEPARTMENT**

*(G.O. Rt. No. 35/AIL/Lab./T/2021, dated 3rd May 2021)*

**NOTIFICATION**

Whereas, the Government is of the opinion that an industrial dispute has arisen between the management of M/s. RVS Educational Trust, Karaikal, and Thiru S. Suresh, Porayar, over non-employment in respect of the matter mentioned in the Annexure to this order;

And whereas, in the opinion of the Government, it is necessary to refer the said dispute for adjudication;

Now, therefore, by virtue of the authority delegated *vide* G.O. Ms. No. 20/91/Lab./L, dated 23-5-1991 of the Labour Department, Puducherry, to exercise the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), it is hereby directed by the Secretary to Government (Labour) that the said dispute be referred to the Labour Court, Puducherry, for adjudication. The Labour Court, Puducherry, shall submit the Award within 3 months from the date of issue of reference as stipulated under sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947 and in accordance with rule 10-B of the Industrial Disputes (Central) Rules, 1957.